# CONFERENCE ON DISARMAMENT

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**LETTER DATED 20 FEBRUARY 1990 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING DOCUMENTS FROM THE WYOMING AND MOSCOW MEETINGS BETWEEN THE UNITED STATES SECRETARY OF STATE JAMES A. BAKER, III AND UNION OF SOVIET SOCIALIST REPUBLICS FOREIGN MINISTER EDUARD A. SHEVARDNADZE */**

I have the honour to forward to you the following documents from the Wyoming and Moscow Meetings between the United States Secretary of State James A. Baker, III and Union of Soviet Socialist Republics Foreign Minister Eduard A. Shevardnadze.

- Joint Statement on Chemical Weapons by the United States and the Union of Soviet Socialist Republics adopted in Jackson Hole, Wyoming, United States of America, on 23 September 1989.

- The Memorandum of Understanding Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding a Bilateral Verification Experiment and Data Exchange Related to the Prohibition of Chemical Weapons signed 23 September 1989, in Jackson Hole, Wyoming, United States of America.

- Joint Statement on Chemical Weapons by the United States and the Union of Soviet Socialist Republics adopted in Moscow, Union of Soviet Socialist Republics, on 10 February 1990.

- The Chapeau and Part I (Arms Control and Disarmament Issues) of the United States and Union of Soviet Socialist Republics Joint Statement adopted in Moscow, Union of Soviet Socialist Republics on 10 February 1990.

In accordance with past practice and agreement, Minister Batsanov, Union of Soviet Socialist Republics Representative to the Conference on Disarmament, will transmit these documents in Russian to the Conference on Disarmament.

I ask that you take the appropriate steps to enter these papers as official documents of the Conference on Disarmament and have them distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed) STEPHEN J. LEDOGAR
Representative of the United States
of America to the Conference on Disarmament

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*/ The official Russian texts of the documents mentioned herein are to be found in CD/974.

JOINT STATEMENT ON CHEMICAL WEAPONS
23 September 1989

During their 22-23 September meeting in Jackson Hole, Wyoming, Secretary of State James A. Baker, III and Foreign Minister Eduard A. Shevardnadze reaffirmed the commitment of the United States and the Union of Soviet Socialist Republics to pursue aggressively the prohibition of chemical weapons and the destruction of all stockpiles of such weapons on the basis of a comprehensive, effectively verifiable and truly global ban. Both sides consider the early conclusion and entry into force of a convention to this effect to be one of the highest priorities for the international community. They believe that with the active and constructive participation of all States it will be possible to resolve expeditiously the remaining issues and to conclude the Convention at the earliest date, and call upon all parties to the negotiations to join them in achieving this objective.

The two sides also believe that greater openness between them and among others could contribute to the prospects for reaching an early agreement on an effective ban on chemical weapons. As a concrete expression of the commitment of their two countries toward this end, the Secretary of State and the Foreign Minister signed a Memorandum of Understanding regarding a bilateral verification experiment and data exchange. The steps agreed upon in the memorandum are intended to facilitate the process of negotiation, signature and ratification of a comprehensive, effectively verifiable and truly global convention on the prohibition and destruction of chemical weapons.

The verification experiment and data exchange will be conducted in two phases. Phase I involves the exchange of general data on the sides' chemical weapons capabilities and a series of visits to relevant military and civil facilities on their respective territories. In Phase II the sides will exchange detailed data and permit on-site inspections to verify the accuracy of the information exchanged.

The sides also agreed to undertake a co-operative effort with respect to the destruction of chemical weapons. They agreed to reciprocal visits to monitor destruction operations of the other side, and to the exchange of information on past, current and planned destruction activities and procedures.

The sides noted their agreement on some procedures for conducting challenge inspections and on the provisions governing the order of destruction of chemical weapons and of chemical weapons production facilities. These two approaches will be introduced into the multilateral negotiations in Geneva in an effort to contribute to those negotiations. They also stressed the need to concentrate in the near future on resolving remaining verification-related issues. The two sides intend to pursue intensively their bilateral discussions on a chemical weapons ban with the view to help achieve further progress in the multilateral negotiations.

The Secretary of State and the Foreign Minister expressed their grave concern about the growing danger posed to international peace and security by the risk of the illegal use of chemical weapons as long as such weapons exist and are spread. They reaffirmed the importance of and their commitment to the

final declaration of the Paris Conference on the Prohibition of Chemical Weapons held earlier this year as well as their commitment to the 1925 Geneva Protocol. The two sides emphasized the obligation of all States not to use chemical weapons in violation of international law and urged that prompt and effective measures be taken by the international community if that obligation is violated. In this regard, they underscored their support for the United Nations Secretary-General in investigating reports of violations of the Geneva Protocol or other relevant rules of customary international law.

The sides welcomed Australia's convening of a Government-Industry Conference against chemical weapons, which has just concluded in Canberra. They noted that this conference provided an important opportunity for serious discussion between Government and industy representatives from around the world. The sides expressed satisfaction with the extensive and productive work accomplished at the conference and the positive results reflected in the Chairman's final summary statement.

Finally, the sides expressed the view that a truly global, comprehensive and effectively verifiable ban on chemical weapons is the best means to address the threat posed by the spread of chemical weapons on a durable long-term basis. In the meantime, the sides emphasised their readiness to attempt to prevent the proliferation of chemical weapons. They intend to continue consultations on this issue.

**MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA REGARDING A BILATERAL VERIFICATION EXPERIMENT AND DATA EXCHANGE RELATED TO PROHIBITION OF CHEMICAL WEAPONS**

The Government of the Union of Soviet Socialist Republics and the Government of the United States of America,

Determined to facilitate the process of negotiation, signature and ratification of a comprehensive, effectively verifiable, and truly global convention on the prohibition and destruction of chemical weapons,

Convinced that increased openness about their chemical weapons capabilities is essential for building the confidence necessary for early completion of the convention,

Desiring also to gain experience in the procedures and measures for verification of the convention,

Having agreed as follows:

## I. GENERAL PROVISIONS

1. As set forth below, the two sides shall conduct a bilateral verification experiment and data exchange related to the prohibition of chemical weapons.

2. The bilateral verification experiment and data exchange shall be conducted in two phases. In Phase I, the two sides shall exchange general data on their chemical weapons capabilities and carry out a series of visits to relevant facilities. In Phase II, the two sides shall exchange detailed data and perform on-site inspection to verify the accuracy of those data.

3. The bilateral verification experiment and data exchange is intended to facilitate the process of negotiation, signature and ratification of a comprehensive, effectively verifiable and truly global convention on the prohibition and destruction of chemical weapons by:

(1) enabling each side to gain confidence in the data on chemical weapons capabilities that will be provided under the provisions of the convention;

(2) enabling each side to gain confidence in the inspection procedures that will be used to verify compliance with the convention; and

(3) facilitating the elaboration of the provisions of the convention.

4. Terms used in this Memorandum shall have the same meaning as in the draft convention text under negotiation by the Conference on Disarmament. The draft convention text that is current as of the date of the exchange of data shall be used.

5. Data shall be current as of the date of the exchange, and shall encompass all sites and facilities specified below, wherever they are located.

6. Each side shall take appropriate steps to protect the confidentiality of the data it receives. Each side undertakes not to divulge this data without the explicit consent of the side that provided the data.

## II. PHASE I

In Phase I, each side shall provide the following data pertaining to its chemical weapons capabilities:

1. the aggregate quantity of its chemical weapons in agent tons;

2. the specific types of chemicals it possesses that are defined as chemical weapons, indicating the common name of each chemical;

3. the percentage of each of its declared chemicals that is stored in munitions and devices, and the percentage that is stored in storage containers;

4. the precise location of each of its chemical weapons storage facilities;

5. for each of its declared chemical weapons storage facilities:

   - the common name of each chemical defined as a chemical weapon that is stored there;

   - the percentage of the precise aggregate quantity of its chemical weapons that is stored there; and

   - the specific types of munitions and devices that are stored there;

6. the precise location of each of its chemical weapons production facilities, indicating the common name of each chemical that has been or is being produced at each facility; and

7. the precise location of each of its facilities for destruction of chemical weapons, including those currently existing, under construction, or planned.

In Phase I, each side shall permit the other side to visit some of its chemical weapons storage and production facilities, the exact number of which will be agreed upon as soon as possible. In addition, each side shall permit the other side to visit two industrial chemical production facilities. Each side will select the facilities to be visited by the other side.

## III. PHASE II

In Phase II, each side shall provide the following data pertaining to its chemical weapons capabilities:

1. the chemical name of each chemical it possesses that is defined as a chemical weapon;

2. the detailed inventory, including the quantity, of the chemical weapons at each of its chemical weapons storage facilities;

3. its preliminary general plans for destruction of chemical weapons under the convention, including the characteristics of the facilities it expects to use and the time schedules it expects to follow;

4. the capacity of each of its chemical weapons production facilities;

5. preliminary general plans for closing and destroying each of its chemical weapons production facilities under the convention, including the methods it expects to use and the time schedules it expects to follow;

6. the precise location and capacity of its planned single small-scale facility allowed under the convention for the production, for non-prohibited purposes under strict safeguards, of a limited quantity of chemicals that pose a high risk, i.e, Schedule 1 chemicals;

7. the precise location, nature and general scope of activities of any facility or establishment designed, constructed or used since 1 January 1946 for development of chemical weapons, inter alia, laboratories and test and evaluation sites.

## IV. TIMING

1. Except as specified below, Phase I data shall be exchanged not later than 31 December 1989. Visits shall begin not later than 30 June 1990, provided that the sides have agreed, with appropriate lead time, on the number of visits, as well as on the programmes and other detailed arrangements for the visits and assuming that the sides have agreed by 31 December 1989 on the type of facility to be visited by each side in its first visit to the other side.

2. In Phase I each side may withhold temporarily, for reasons of security, data on the locations of storage facilities that together contain a total quantity of chemical weapons that is not more than 2 per cent of the precise quantity of its chemical weapons. In addition, the other data pertaining to these locations, as specified in Section II, paragraph 5, shall be grouped under the heading "other storage locations" without reference to specific locations. Precise data pertaining to these locations shall be exchanged later in Phase I on a subsequent date to be agreed.

3. Phase II data shall be exchanged on an agreed date not less than four months prior to the initialing of the text of the convention. At that time, both sides shall formally and jointly acknowledge the possibility of initialing the convention within four months.

## V. VERIFICATION

1. Each side shall use its own national means to evaluate Phase I data and Phase II data.

2. During Phase I, the sides shall hold consultations to discuss the information that has been presented and visits that have been exchanged. The sides will co-operate in clarifying ambiguous situations.

3. During Phase II, each side shall have the opportunity to verify Phase I and Phase II data by means of on-site inspections. The purpose of these inspections shall be to verify the accuracy of the data that has been

exchanged and to gain confidence that the signature and ratification of the convention will take place on the basis of up-to-date and verified data on the chemical weapons capabilities of the sides.

4. Prior to the initialing of the convention, each side shall have the opportunity to select and inspect at its discretion up to five facilities from the list of chemical weapons storage facilities and chemical weapons production facilities declared by the other side. During Phase I, the sides will consider whether each side may inspect not less than half of the declared facilities of the other side if their number is more than 10. Should either side as of the date of the Phase II exchange possess a single small-scale facility for production of Schedule 1 chemicals, it shall be subject to an additional inspection.

Each side shall also have the opportunity to carry out up to five challenge inspections, as specified below. All inspections shall be carried out within the agreed four months from the date of the declaration pertaining to Phase II, referred to in Section IV.

5. While the signed convention is being considered by their respective legislative bodies, each side shall have the opportunity to request from the other side, and to obtain from it, updated data. Each side shall have the opportunity to conduct up to five challenge inspections, as specified below. During this process, the two sides will consult with their respective legislative bodies, as appropriate, in accordance with their constitutional requirements.

For each side, these inspections shall be carried out within a four-month period, beginning with the date that it conducts its first inspection. The sides shall consult and agree on the dates when the first inspection will be conducted by each side. The dates shall be chosen to ensure that the inspections shall be conducted by both sides at approximately the same time. Once the inspections begin, the sides may, by mutual consent, extend the four-month periods for an additional specified period.

6. Inspections of declared facilities, as well as challenge inspections, shall be conducted in accordance with the corresponding provisions of the draft convention, taking into account that these inspections are being carried out on a bilateral basis and do not involve the bodies that will be established under the convention. If necessary, the two sides shall supplement the provisions of the draft convention by mutually-agreed procedures.

7. Challenge inspections may be made at any location or facility of the other side, as provided for in the draft convention text, except that, for the purposes of this Memorandum and without creating a precedent, challenge inspections at facilities not on the territory of the sides may be made only at military facilities of a side in a limited number of countries; the sides will agree later on these specific countries.

8. Challenge inspections conducted pursuant to this Memorandum shall be conducted in a manner consistent with the domestic law of the side being inspected and shall be based on a recognition by both sides of the need to resolve concerns and build confidence.

9. To clarify questions related to the data provided during Phase I and Phase II, the two sides shall employ normal diplomatic channels, specifically-designated representatives, or such other means as may be agreed upon.

## VI. FORMAT

1. Unless otherwise provided in this Memorandum, the agreed data shall be provided according to the specifications contained in the draft convention text for the declarations that are to be made not later than 30 days after the convention enters into force.

2. Precise locations shall be specified by means of site diagrams of facilities. Each diagram shall clearly indicate the boundaries of the facility, all structures of the facility, and significant geographical relief features in the vicinity of the facility. If the facility is located within a larger complex, the diagram shall clearly specify the exact location within the complex. On each diagram, the geographic co-ordinates of the center of the facility shall be specified to the nearest second.

## VII. ENTRY INTO FORCE

This Memorandum of Understanding shall enter into force upon signature.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Memorandum of Understanding.

DONE at Jackson Hole, Wyoming, in duplicate this 23rd day of September 1989, in the English and Russian languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE UNION OF THE SOVIET SOCIALIST REPUBLICS:
Eduard Shevardnadze

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA: James A. Baker III

10 February 1990

JOINT STATEMENT ON CHEMICAL WEAPONS

During their 7-9 February meeting in Moscow, Secretary of State James A. Baker, III and Foreign Minister Eduard A. Shevardnadze reaffirmed that chemical weapons must be eliminated worldwide. They have agreed on the following framework for the achievement of this goal which they consider to be a high priority:

- The sides are determined to work to conclude and bring into force a multilateral, effectively verifiable Chemical Weapons Convention banning the development, production and use of chemical weapons and eliminating all stocks on a global basis. To this effect they will work to expedite the negotiations in Geneva with the view to resolving main outstanding issues as soon as possible and to finalizing the draft convention at the earliest date.

- Even as these multilateral negotiations proceed, the sides will work out a bilateral agreement on reciprocal obligations pending the international Convention including, inter alia, the destruction of the bulk of their CW stocks to equal low levels. They will proceed with the objective of completing and signing such an agreement at the June 1990 summit meeting.

- The agreement would establish a programme of co-operation on technology and procedures for safe and expeditious as well as economically and environmentally sound destruction of chemical weapons.

- When the CW Convention enters into force, the sides will further reduce their CW stocks to equal levels at a very small fraction of their present holdings over the first eight years of operation of the Convention. All remaining CW stocks should be eliminated over the subsequent two years. Of course, all CW-capable States must adhere to the Convention. Meanwhile, the sides will closely co-operate with each other and together with other States to ensure that all CW-capable States adhere to the Convention. Efforts to this effect are to begin without delay. The sides share the view that both nations should be among the original parties to the Convention whose ratification would be necessary for its entry into force.

- The multilateral Convention shall contain the provision that all production of chemical weapons will halt upon its entry into force.

- The sides will work out common principles that will guide their efforts to prevent the proliferation of chemical weapons.

10 February 1990

FROM THE JOINT STATEMENT

Secretary of State James A. Baker, III and Foreign Minister Eduard A. Shevardnadze met 7-9 February in Moscow as part of the preparations for the United States-Soviet summit to be held in June in the United States. Proceeding from their common goal of building a more stable, constructive and co-operative relationship, they reviewed the broad range of issues on the United States-Soviet agenda. The Secretary also was received by Chairman Gorbachev for an open, wide-ranging exchange of views.

The Secretary and the Foreign Minister discussed developments in United States-Soviet relations since the Wyoming ministerial and the Malta meeting between President Bush and Chairman Gorbachev. They examined the prospects for the summit, with the particular aim of advancing the objectives and priorities defined by the two leaders in Malta.

The Secretary and the Foreign Minister noted with satisfaction the progress that is being made in United States-Soviet relations. While certain significant differences remain between the sides, their relationship is increasingly marked by understanding, co-operation and the search for mutual advantage. The Secretary and the Foreign Minister believe that candid dialogue and continuing efforts at finding practical and concrete solutions will further the significant progress that has been recorded to date.

In this context, the Moscow ministerial was a useful and important step in preparing the ground for a productive summit. The high-level discussions were complemented by experts' working groups on arms control, regional, human rights, transnational and bilateral issues, as well as an informal group on economic questions. Specific agreements were reached in several areas of the agenda.

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The Secretary and the Foreign Minister held a thorough exchange of views on arms control and disarmament issues. With respect to the Treaty on the Reduction and Limitation of Strategic Offensive Arms, they reaffirmed their common objective, of resolving all major issues by the June summit in order to allow signature of the Treaty by the end of the year. To further this goal, the sides reached agreement or exchanged new proposals in a number of areas.

On air-launched cruise missiles, the sides made substantial progress on a package approach, agreeing on all remaining issues with the exception of the range threshold.

The sides also made good progress on sea-launched cruise missiles. The sides agreed that such missiles would be dealt with by parallel, politically binding declarations for the duration of the START Treaty. The Secretary and the Foreign Minister agreed that the remining issues involving SLCMs would be addressed at the negotiations in Geneva.

The sides agreed that there would be numerical limits on non-deployed ballistic missiles and the warheads attributable to them for all ICBMs of a

type that has been flight-tested from a mobile launcher. Other non-deployed ballistic missiles, non-deployed cruise missiles and non-deployed heavy bomber weapons will not be subject to numerical limits. The sides further agreed on a régime governing the location and movement of all non-deployed ballsitic missiles.

The sides reached agreement on major elements of a régime to ensure the non-denial of telemetry data during flight tests of START-accountable ballistic missiles. These provisions will be included in the START Treaty, but will be implemented early, at the time of Treaty signature, through an exchange of letters.

The United States side presented new proposals on verification of mobile ICBMs, duration of the Treaty, phasing of reductions and attribution of warheads to future types of ballistic missiles. The Soviet side presented new proposals dealing with non-circumvention. The Secretary and the Foreign Minister instructed their negotiators to discuss these new proposals and to expedite efforts on resolving remaining differences in the text of the Treaty and its associated documents.

The sides discussed the Vienna negotiations on conventional force reductions and reiterated their determination to conclude an agreement as soon as possible in 1990. The sides discussed President Bush's 31 January proposal on manpower which was presented by NATO in Vienna on 8 February, as well as NATO's aircraft proposal presented on the same date. As a result of the discussions in Moscow, the differences on personnel were narrowed. The sides agreed to continue their discussions in the context of the negotiations in Vienna and at the Ministers' meeting on "Open Skies" in Ottawa.

The Secretary and the Foreign Minister had extensive discussions on how to proceed toward their common goal of achieving, through the negotiations in Geneva, a global ban on the development, production, stockpiling and use of chemical weapons and of their destruction. The United States and Soviet delegations in Geneva were instructed to proceed with developing means of practical co-operation in the area of chemical weapons elimination. The sides issued a separate, more detailed statement on chemical weapons.

In discussions on nuclear testing, the sides made progress on resolving the remaining issues. They believe that the task of completing the verification protocols to the 1974 and 1976 threshold limitation treaties for signing at the summit is realistic. The sides agreed on the right to simultaneous use of hydrodynamic and in-country seismic yield measurements. The sides also resolved several long-standing problems regarding the implementation of the hydrodynamic yield measurement method. The sides identified the three seismic stations in each country to be used for in-country seismic yield measurements. The sides reaffirmed their adherence to the agreement reached in September 1987 with regard to the negotiations on nuclear testing.

The Secretary and the Foreign Minister expressed their hope that the Ottawa "Open Skies" conference - which they will both attend - would be a success and lead to early agreement. They believe an "Open Skies" régime can make a genuine contribution to openness, transparency and stability.

The Secretary and the Foreign Minister noted the recent consultations between their experts on chemical weapons non-proliferation, missile technology control and nuclear non-proliferation. They agreed to prepare a document for consideration by their leaders covering both principles and concrete steps of co-operation in all areas of non-proliferation - chemical, missile and nuclear.

The sides conducted a discussion of the problem of non-proliferation of missiles and missile technology. They noted that they both adhere to the export guidelines of the existing régime relating to missiles, which applies to missiles capable of delivering at least 500 kilograms of payload to a range of at least 300 kilometres. They further agreed to continue joint discussions on this problem in the interim before the next ministerial.

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